

2.7.1 Planned Village Development (PVD) District

NOTE: The PVD District incorporates guidelines to provide certainty in the land development process. The District also retains the authority of the Planning Commission and legislative bodies to establish limitations and regulations as they deem necessary to protect the public health, safety and welfare.

A. Intent.

The intent of the PVD District is to promote diversity and integration of uses and structures in a planned development through flexible design standards that:

- Create new communities that are livable, diverse, and sustainable;
- Promote efficient and economic uses of land;
- Respect and reinforce existing communities, integrating new development with existing development to ensure compatibility;
- Provide flexibility to meet changing needs, technologies, economics, and consumer preferences;
- Promote development patterns and land uses which reduce transportation needs and which conserve energy and natural resources;
- Lower development and building costs by permitting smaller networks of utilities and streets and the use of shared facilities;
- Protect and enhance natural resources;
- Provide more parks, open spaces and scenic areas, either commonly owned or publicly-owned, than would otherwise be provided under conventional land development procedures; and
- Encourage a variety of compatible architectural styles, building forms, and building relationships within a planned development.

The PVD District implements the following provisions of Cornerstone 2020:

| Goals | Plan Elements |
|-----------------------------------------------------------------------------------------------------|--------------------------|
| Mobility Strategy Goals I1, I2, I3, I4, I5 Livability Strategy Goals B1, E2, E3, E4, F3, H2, J1, | Guidelines 2, 3, 4, 5, 9 |

B. General Provisions.

1. Zone Change Applications.

An applicant for a zone change to the PVD District shall submit a proposal for consideration for any use or mixture of uses allowed in the PVD District. The Planning Commission shall make a recommendation for a zone change according to law and the legislative body may approve any such proposal, together with any conditions, requirements or limitations thereon which the Planning Commission or legislative body deems appropriate and is agreed to by the applicant according to law.

2. Bonds.

The legislative body or responsible public agencies may require bonds (or appropriate alternatives) from the applicant as part of the Master Plan to ensure the satisfactory and timely completion of facilities under public or common ownership. This requirement is for the benefit of purchasers when the development time limits and schedule do not preclude the sale of individual units prior to the completion of such facilities. In the event that a requirement for bonds or appropriate alternatives is not provided for in the Master Plan, then the developer shall comply with requirements for such bonds required in the Subdivision Regulations.

NOTE:
Section 11.4.7 (Binding Elements) is not intended to be applicable to the PVD District.

3. Applicability of Other Ordinances/ Portions of LDC.
Unless specified otherwise by this Section, all provisions of the Land Development Code shall be applicable to the PVD district.

C. Development Guidelines and Standards.

1. Purpose of the Village.

The PVD is designed to recognize and allow for villages as a distinct pattern of development. Villages usually occur in relatively undeveloped areas. They are broadly characterized as self-contained communities having an identifiable boundary and/or open space perimeter and a center that is compact and has a mixture of uses.

2. Village Pattern.

- a. The village consists of three distinct required components: the village edge, village general, and village center. The Master Plan shall include the following components:
- i. Village Edge. The village edge is the least dense residential area of the village, also containing civic uses and permanent open space. It provides a discernible boundary for the village, may preserve sensitive natural features, and ensures compatibility with the surrounding pattern of land uses. Typically, permanent open space provided in the village edge would include, but is not limited to, a) preservation of agricultural lands, b) scenic views, c) woodlands, d) greenways, or e) natural, cultural, or historic resources within the community.
 - ii. Village General. The village general is primarily residential but allows a mixture of uses at limited locations and at a compatible scale and intensity. The village general also contains permanent open space, typically in the form of parks or greens.

iii. Village Center. The village center serves as the focal-point and informal gathering place of the village. It is made up of higher density residential uses, village-serving shops and services, civic buildings, and more formalized open space such as plazas or squares.

b. The village pattern is characterized by the required features:

- i. A limited size. A complete village has most dwellings within roughly a 5 - 10 minute walk of the village center;
- ii. A variety of housing types. This allows younger and older people, singles and families, and people with a wide range of incomes to have places to live. Examples include detached houses on small, standard, or large lots, duplexes, rowhouses, live/work units, and apartment buildings;
- iii. A network of connected streets and walkways. Village streets provide a variety of transportation routes and disperse traffic. Streets are relatively narrow and most are tree lined to create a pleasant environment;
- iv. Designated sites for civic buildings. Buildings such as schools, libraries, museums, meeting halls, places of worship, and day care facilities should occupy prominent places in the village and be planned in coordination with open spaces;
- v. Many separate and human-scaled buildings. Small lots and a variety of buildings generate a cohesive pattern that allows streets to be civic places. Building heights vary, with one and two story structures typical in the village general and village edge and structures up to four stories typical in the village center. Buildings in the village center should generally be placed close to the sidewalk, creating a strong sense of spatial definition, while buildings in the village general and village edge are set back from the sidewalk. Civic buildings have a distinctive form to differentiate their role from that of other buildings;
- vi. Open space and natural features, such as trees of high quality and significant tree stands, wetlands, streams, and steep slopes, are retained, linked where possible and incorporated into the village pattern; and
- vii. Cultural resources, such as historic buildings, districts and landscapes, are preserved and reused in the village.

3. Development Standards.

The following standards are intended for use in preparing a Master Plan for consideration under the PVD District.

- a. Size of site. A village shall not have a minimum or maximum size; however, it generally would be about forty (40) to two hundred (200) acres. Parcels significantly larger than two hundred (200) acres should be developed as multiple villages, with each village designed to be integrated into an overall plan and the total site subject to all the provisions. Applications for sites significantly less than 40 acres shall be considered when adjacent to or integrated with an existing or approved village.
- b. Density. The maximum number of residential dwelling units permitted in the village district shall be 5 dwelling units per net acre, notwithstanding the location of the village in more than one county. If the village is located in more than one county, the number of dwelling units shall be established through inter-local agreement with both counties or by deed restriction. On sites with land that is required to be dedicated as open space for public health and safety (as defined in **Chapter 10, Part 5**) a density bonus of 2.5 dwelling units per acre of dedicated land is allowed. This density bonus is applicable to no more than 25% of the total acreage of the land. An accessory apartment constructed in accordance with applicable land use standards of the PVD District shall not be counted as a residential dwelling unit.
- c. Village edge. The edge is a required component and should make up a large portion of the village. It can include a combination of publicly owned land such as parks and greenways and privately owned land such as areas that have been protected by conservation easements and residential lots. However, the specific size, location, and design of the village edge is intended to be flexible based on the context of the adjacent pattern of development and the presence of sensitive natural features. Transition between adjacent land uses and the village can be achieved through a village edge containing a combination of residential lots and permanent open space. Landscape buffers shall be provided at the village edge regardless of the type of adjacent land use, however, transition between an existing neighborhood and village can be achieved by creating a tree-lined boulevard or landscape buffer.

NOTE: An example of permanent open space at the edge is farmland that has been placed under conservation easement.

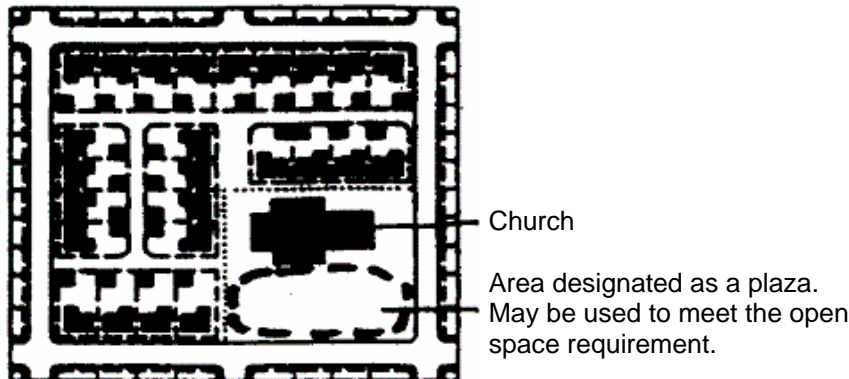
- d. Village center. The village center should be compact and located roughly within a 5-to-10 minute walk (approximately 1,350') of most village residents. It may also be located where it can intercept traffic coming and going from the village. The location of the village center may be altered where natural features of the existing pattern of development precludes such a location. A minimum of 2% but not more than 30% of the gross acreage of the village should be designated as village center. To ensure a mixture of uses in the village center, the following guidelines shall apply:

Some dwelling units shall be located in the village center (at least 10% of the total number of dwelling units in the village recommended but not required). Retail, office, and service uses should be sized area and intensity to meet the needs of village residents. A minimum of 2,500 square feet of gross leasable retail area should be located in the village center. The maximum amount (gross leasable area) of retail use to be located in the village center shall be limited to 200 square feet per dwelling unit. The maximum amount (gross leasable area) of office and service use to be located in the village center shall be provided by the applicant, however, single retail uses with a building footprint of greater than 50,000 square feet shall be discouraged. Home occupation uses and non-residential uses within a live/work unit shall not be included in gross leasable area calculations when determining minimum and maximum area.

- e. Open Space. The minimum requirement for open space in the village shall be 25% to 30% of the gross acreage of the village. Open space used to meet the minimum requirement shall be permanent open space that meets the requirements of **Chapter 10, Part 5** of the Land Development Code. In villages with less than 30% open space at least 70% of the required open space (17.5% of the gross acreage minimum) must be publicly accessible and must be designed for outdoor recreation. In villages with 30% or more open space, at least 50% of the required open space (15% of the gross acreage minimum) must be publicly accessible and designed for outdoor recreation. This requirement, however, shall not be construed as limiting the amount of open space that is necessary to satisfy public health and safety requirements.

Some open space should be located in each of the village component. The following standards apply to open space in the village:

- i. Open space used to meet the requirement in the village edge shall be designated as one of the open space types defined in **Chapter 10, Part 5**. In addition, the village edge may include open space that is defined as large lots that are privately owned and permanently protected by conservation easements. These lots should be no less than 10 acres in size and should average at least 15 acres. The applicant could either purchase the development rights of properties adjacent to the village or place easements on the lots before they are sold. These lots may remain in private ownership, would be maintained by the landowner and would not have to be publicly accessible. The applicant is, however, encouraged to provide access easements on these properties where appropriate, to provide connections to trails or greenways.
- ii. Open space used to meet the requirement in the village general shall be designed as squares, greens, sports fields, pedestrian or bicycle trails, or greenways and may be associated with civic buildings. Each lot in a village general should be within approximately 1,350 feet of one of these types of open space.
- iii. Open space used to meet the requirement in the village center shall be designed as squares, plazas, or greens and may be associated with civic buildings.
- iv. Squares, plazas, and greens may not be located behind dwellings. Exceptions may be permitted where topography, existing street layout, or other features make this restriction impractical.
- v. A minimum of 50% of the open space in a village should enfront on public thoroughfares.
- vi. Open space associated with civic uses (such as school playgrounds and sports fields or a church yard that is designed as a green) may be used to meet the requirement if it is publicly accessible and designed as one of the open space types that are allowed in that component of the village as described above in Paragraphs i, ii, and iii above.
- vii. Parking lots may only be used to meet an open space requirement as specifically permitted in **Chapter 10, Part 5**.
- viii. No more than 25% of the required open space shall be covered by water.



- ix. Land used to meet the open space requirement must be publicly accessible, except for:
 - (a) land dedicated to natural resource protection that requires special protection (such as habitat for threatened or endangered species);
 - (b) land managed for production of resources;
 - (c) lands used for public health and safety purposes; and
 - (d) privately owned cultural resources and lands that are permanently protected by conservation easements or held by a land trust. (Lands protected by conservation easement or held by a land trust may be used to meet the open space requirement with permission of the easement holder or land trust.)
- f. Civic Uses. At least 2% of the gross acreage of the village shall be developed as civic use(s). Civic uses should be located at important sites to reinforce community identity and should have a distinctive form to differentiate their role from that of other buildings and uses.
- g. Street Network.
 - i. Villages should have a hierarchy of streets. The Master Plan shall specify standards for minimum pavement width, required right of way, presence of curbs, on-street parking, street trees, street furniture, bikeways, and sidewalks.
 - ii. Villages should have a connected network of streets, alleys and bicycle/ pedestrian pathways. All streets and bicycle/ pedestrian pathways shall connect to other streets within the Village and to existing and projected corridors outside the Village, if applicable. Cul-de-sacs are not permitted within

the village unless natural features such as topography or stream corridors prohibit a street connection. Stub streets may be required where a street is likely to be extended in the future.

- iii. Streets in villages should be designed for pedestrian safety. To accomplish this goal, street width, pattern and design shall be used to reduce vehicle travel speeds and encourage pedestrian activity. Streets may be permitted to vary in size and form from conventional development to control traffic and give character to the village.
 - iv. There shall be alleys to the rear of blocks in the village center and those blocks in the village general with majority of building lots less than 60' in width.
 - v. Location for a transit shelter should be reserved in the village center, preferably near shops and services and within walking distance of many residents. Transit shelter design should consider personal safety and year-round weather conditions.
 - vi. Sidewalks or pedestrian paths, (minimum 4' width recommended), should be provided on at least one wide of all streets in the village edge. In the village general and village center, sidewalks should be provided on both sides of all streets (4' minimum width recommended, 12' minimum width recommended enfronting commercial use where outdoor seating is to be accommodated). Sidewalks and pedestrian bicycle paths do not have to be parallel to the street right of way; they may meander around trees, stone walls, small hills, etc., to make the streetscape more interesting and take advantage of scenic features.
 - vii. A tree strip, approximately 5' in width should be provided between the roadbed and the sidewalk/ pedestrian path in the village general and village edge. Tree strips should be continuous between drives and or road intersections. In the village center, street trees should be provided in a tree strip or in grated sidewalk planters. Street trees shall be provided according to standards of the Land Development Code.
- h. Blocks.
- i. Blocks may be square, elongated or irregular. Block shape and size should respond to topography, existing vegetation, hydrology, and design intentions.
 - ii. Blocks are encouraged to vary in size, with smaller blocks generally located in the village center and larger blocks in the village edge. Blocks that are longer than 1000' are encouraged to be bisected by a walking path.

i. Stormwater Management.

The amount of open space necessary to the village district, combined with a development pattern in which lot size and density generally decreased from the village center out to the village edge allows for a unique opportunity to reduce storm water quality and quantity impact. The village should be designed in a manner that ensures that a hydrologic behavior of post-construction peak run off rates leaving the development site will not exceed pre-construction rates unless the site is utilizing a regional detention facility with the permission of the Metropolitan Sewer District.

j. Utility Services.

The village shall be provided with a complete water distribution system, sufficient to meet current standards for fire protection, from an approved public water system and shall be served by a sanitary sewer system in accordance with requirements by the Metropolitan Sewer District and the Division of Environmental Health and Protection. Installation of all utility services is required before the record plat is approved or before the performance bond is released.

4. Land Use.

The table below (Table 2.7.1) lists the uses permitted within a village. P means the use is permitted, subject to design standards and location standards where noted. L means the use is limited. Limited uses must be approved by the Planning Commission at the time of approval of the Master Plan. Subsequent requests for limited uses shall require amendment of the Master Plan and shall be reviewed according to D.2. of this Section. X means the use is not permitted. No permitted use or limited use shall be required to secure a conditional use permit. For others listed in **Chapter 4, Part 2** of the Land Development Code as Conditional Uses, an applicant may apply for and obtain a conditional use permit provided the private covenants, declarations or restriction of the association of property owners do not forbid the conditional use applied for.

Table 2.7.1.

| | Village Edge | Village General | Village Center |
|------------------------------------------------------------------------------------------------------------------------|--------------|-----------------|----------------|
| RESIDENTIAL USE | | | |
| Detached dwelling | P | P | P |
| semi-detached dwelling | X | P | P |
| attached dwelling | X | P | P |
| two-family dwelling | X | P | P |
| multi-family dwelling | X | P* | P |
| accessory apartment | P | P | P |
| live/work unit | X | L** | P |
| LODGING USE | | | |
| bed and breakfast inn | L | L | P |
| hotel | X | X | P |
| OFFICE USE | | | |
| home occupation | P | P | P |
| office | X | P*** | P |
| COMMERCIAL USE | | | |
| neighborhood commercial/service**** | X | P*** | P |
| general commercial***** | X | X | P |
| CIVIC USE | | | |
| churches, parish halls and temples | L | L | L |
| clubs, private proprietary | L | L | L |
| colleges, schools, and institutions of learning, (except trade, business, or industrial schools), not for profit | L | L | L |
| community residence | L | L | L |
| | Village Edge | Village General | Village Center |
| convents and monasteries | L | L | L |
| day care center | L | P* | P |
| family day care home | P | P | P |
| family care home | P | P | P |
| nursing homes and homes for the infirm and aged | L | L | L |
| historical buildings & grounds | P | P | P |
| libraries, museums, arboretums, and art galleries, not for profit | L | L | L |
| meeting hall | L | L | L |
| OTHER | | | |
| agriculture | P | P | P |
| garage sale | P | P | P |
| outdoor advertising sign | X | X | X |
| utilities | L | L | L |

The following refer to table 2.7.1

- * Only at intersections where at least one street is designated as the highest classification of streets in the village.
- ** Only along major streets as defined in the Master Plan.
- *** Only at intersections where at least one street is designated as the highest classification of streets in the village and only on the first floor. Office or commercial use shall not exceed 50% of the floor area of the entire structure. The remaining floor area shall be residential.
- **** Includes only permitted and special permitted uses in the CR zone, not subject to CR requirements. Drive-through facilities are not permitted. Single retail uses with a building footprint that is over 50,000 square feet shall be discouraged.
- ***** Includes only uses permitted in the C1 zone plus neighborhood pubs and live music in restaurants. Drive-through facilities are not permitted. Single retail uses with a building footprint that is over 50,000 square feet shall be discouraged.

5. Site Design

Site design should be regulated in order to ensure compatibility of building types regardless of use and to create a cohesive development pattern. In order to allow maximum flexibility, site design standards are not specified for the PVD district. Instead, standards compatible with the village pattern as described in C.2. of this Section shall be provided by the applicant and approved by the Planning Commission at the time of approval of the Master Plan. One set of standards should be established for civic uses and a second set for all other uses. Standards should meet the intent of the village pattern described in C.2. of this Section, and should be submitted in a format similar to that shown in Table 2.7.2.

TABLE 2.7.2 Note: Table 2.7.2 is illustrative only. It is intended as a guide, not a standard for site design.

| | Village Edge | Village General | Village Center |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot size (Lots widths should be increments of 12' or 18' to the extent possible.) | width: 54' min. | width: 36' - 72' depth: 80' min. | width: 18' - 72' depth: 80' min. |
| Lot coverage | Buildings shall cover no more than 50% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings. | Buildings shall cover no more than 60% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings. | Buildings shall cover no more than 90% of the area of their lots. Coverage calculations shall exclude open porches and accessory buildings. |
| | Village Edge | Village General | Village Center |
| Setbacks | Front setback - min. of 24' measured to the principal facade. Rear setback - min. of 3' to the rear elevation of the accessory building and 30' to the rear elevation of the principal building. Side setback - min. of 10' to the side elevation of the principal building and 5' to the side elevation of an accessory building. Stoops, balconies and porches may encroach into setbacks. | Front setback - 18' max. measured to the principal facade. Rear setback - min. of 3' to the rear elevation of the accessory building and 30' to the rear elevation of the Principal Building unless a back building connects both. Side setback - total of 12' to the side elevations (all of which may be to one side) of the principal building and 0 ft. to a common wall of an outbuilding. Stoops, balconies and porches may encroach into setbacks. | Front setback should be 0' or 6' measured to the principal facade. Rear setback - min. of 3' to the rear elevation of the principal building. Side setback - min. of 0' to a common wall. Stoops, balconies and porches may encroach into setbacks. Arcades and awnings may encroach upon the R.O.W. to the full width, less one foot, of the enfroing sidewalk. |
| Building façade | The building facade shall be set parallel to the frontage line and shall extend no less than 30% of the linear frontage. | The building facade shall be set parallel to the frontage line and shall extend no less than 60% of the linear frontage. | The building facade shall be set parallel to the frontage line and shall extend no less than 80% of the linear frontage. A wall may substitute for the facade for 50% of the linear frontage. The wall shall be even with the facade and parallel to the frontage line. |
| Height | Buildings shall not exceed 2.5 stories. | Buildings shall not exceed 3 stories. | Buildings shall not exceed 4 stories nor shall they be less than two stories. |

6. Architectural Design
 - a. Architectural design shall be regulated, governed, and enforced as architectural design standards by an association of property owners in order to ensure compatibility of building types and to relate new buildings to the building traditions of the region. These standards shall be contained in private covenants, declarations, or restrictions of the property owners' association and shall be approved in concept by the Planning Commission at the time of approval of the Master Plan. Changes in architectural design standards may occur from time to time thereafter if approved by the Planning Director and the property owners association.
 - b. Architectural design standards shall specify the materials and configurations permitted for walls, roofs, openings, street furniture, and other elements. Architectural standards should encourage the following: architectural compatibility among structures within the village; human scale design; pedestrian use of the village; relationship to the street and to surrounding buildings; and special architectural treatment for civic buildings.
7. Parking and Loading
 - a. Parking facilities for motor vehicles and bicycles shall be provided in accordance with **Chapter 9, Parts 1 and 2** and in accordance with this sub-section. When the requirements of **Chapter 9** conflict with this sub-section, the requirements of this sub-section shall be applied.
 - b. Parking lots shall be located at the rear of a building. If located adjacent to a street or a residential use, screening shall be provided. If the village center is located adjacent to a heavily traveled roadway such as an arterial, up to two rows of parking in front of the non-residential buildings may be allowed.
 - c. Parking lots may not be adjacent to a street intersection or square, or occupy lots which terminate a street vista.
 - d. Shared parking facilities are encouraged in the village center. Uses in the village center may provide required parking anywhere within the village center.
 - e. In the village center, on-street parking allowed along property lines adjacent to a street may be counted toward the parking requirement for that lot.
 - f. Bicycle parking should be provided in the village center and near transit stops, schools, and parks. Bicycle parking may be shared between uses and should be centrally located, easily accessible, and visible from streets or parking lots.

- g. Off-street truck loading or unloading berths and on-street loading zones adequate to serve each proposed use shall be provided. The number and size of off-street loading berths and/or on-street loading zones shall be shown on the Final Plan.

8. Signs.

Signs shall be consistent and compatible with the village pattern as defined in C.2. of this Section. In order to allow maximum flexibility, sign restrictions contained in Chapter 8 shall not apply within a village. Instead, sign standards shall be provided by the applicant and approved by the Planning Commission at the time of approval of the Master Plan. Outdoor advertising signs shall not be permitted within the PVD District.

The following information is illustrative only. It is intended as a guide, but not a standard, for signs.

- a. *All signs shall be attached, awning, canopy, or projecting signs. Freestanding signs shall not be permitted, with the exception of real estate rent/sale signs.*
- b. *Signs shall be integral to the store or building facade. (Recommended height no greater than 2 feet by any length.)*
- c. *No sign shall be mounted above the first floor of a structure.*
- d. *Any signs that are lighted shall be externally lighted.*

9. Landscape

Development within the PVD District shall not be required to meet the landscaping and buffering regulations contained in Chapter 10, Part 2, but shall be required to be developed in accordance with the remaining provisions of Chapter 10. Standards for street trees, buffering and screening for parking areas should be developed as part of the Master Plan Report and should address species type, size, and spacing tree strip and planting bed size and planting medium requirements. All required landscape elements should be shown on the Final Plan as well as on the construction documents.

The location and design of open space, required as part of the Final Plan submittal, should include information such as finished grading, plantings, location and type of proposed recreational equipment and landscape furnishings, lighting, pavement pattern and materials, proposed water features, and any other public facility such as restrooms or drinking fountains.

10. First Final Plan

After approval of a Master Plan and zone change to the PVD District, a Final Plan shall be submitted for review as outlined in D.1. of this Section. The first Final Plan in a village shall contain (a) a section of contiguous village general and village center, and (b) a section of village edge contiguous with the village general or village center, or contiguous or non-contiguous open space.

D. Procedures.

1. Plan Review Process.

a. Overview of Review Process.

The PVD District review process includes six steps. The first step, concept plan review, requires one of the following alternatives: a pre-application conference with Planning Commission staff or a public charrette. The second step is to secure a recommendation of approval of the zone change request and approval of a Master Plan by the Planning Commission; and thereafter to secure final action by the legislative body. The third step, Final Plan review, may be combined with a Preliminary Subdivision Plan review. This step may cover an entire development or a section of development and is conducted by the Technical Review Committee to ensure conformance with the approved Master Plan. Steps four and five, Construction Plan and Record Plat review, are required under the Subdivision Regulations in order to subdivide land. Step six is a site plan review by the Planning Commission staff for all development sites except for a single family use.

Table 2.7.3

| Zone Change / Development Approval | Subdivision Approval |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Concept plan - Planning Commission staff review and/or a public charrette. | |
| Master Plan - Technical Review Committee (TRC) and LD&T review, Planning Commission approval, and Planning Commission recommendation of the zoning change. Final action by legislative body. | |
| 3a. Final Plan -TRC approval. | 3b. Preliminary Subdivision Plan - TRC approval. |
| | 4. Construction Plan - Agency approval. |
| | 5. Record Plat - Agency approval. |
| 6. Site Plan for building permit - Planning Commission staff approval required except for single family use. | |

b. Concept Review.

The applicant may choose to request a pre-application conference with Planning Commission staff and/or to conduct a public charrette for review of a Concept Plan. The applicant must provide an opportunity for the first and second tier property owners to review the concept plan before a zone change application is submitted.

Pre-Application Conference - Prior to formal application for amendment of the Zoning District Map, the applicant or his/her agent may have a conference with the Planning Commission staff to discuss the effect the Comprehensive Plan, the Zoning District Regulations, the Metropolitan Subdivision Regulations, and other land development controls would have on the proposed development. It is intended that the conference also discuss apparent characteristics of the site that would affect the proposed development. In addition, the pre-application conference may be used to determine what elements may be required on the Master Plan required in the PVD district.

Public Charrette - A public charrette may be held by the applicant or his/her agent, with written notification at least 14 days prior to the first day of the charrette to the Planning Commission staff, owners of surrounding property within 200 feet of the proposed development site, and any persons, agencies or organizations the applicant and Planning Staff deems appropriate. A public charrette is a method of planning which is specifically organized to encourage the participation of everyone who is interested in the making of a development or plan, whether they represent the interests of the general public, public agencies, or a client. Charrettes are intensive planning sessions in which: 1) all those influential to the project develop a vested interest in the design and support its vision; 2) a group of design disciplines work in a complementary fashion to produce a set of finished documents that address all aspects of design; 3) this collective effort organizes the input of all players at one meeting and eliminates the need for prolonged discussions that typically delay planning projects; and 4) a better product is produced more efficiently and more cost effectively because of this collaborative process. At the end of the charrette, the concept plan and supporting documents are presented to the public. A summary of input from the charrette must be submitted to the Planning Commission with the zone change application.

Requirements of the Concept Plan - The applicant shall prepare a Concept Plan demonstrating compliance with the PVD District's purpose and standards for review in the pre-application conference or during the public charrette process. The Concept Plan shall include the following:

- i. Scale, date, north arrow and vicinity map with measurements to nearest existing streets;
 - ii. Boundaries and approximate acreage of subject property; general location and description of streams, jurisdictional wetlands, conveyance zones, regulatory floodplains, topography and woodlands;
 - iii. Existing uses of the property;
 - iv. The location of site plan components required in the PVD District (for example, village edge, village general, village center);
 - v. Number of residential units proposed and approximate square footage of commercial, office, and service uses proposed;
 - vi. Existing and proposed streets and alleys, and connections to existing street system;
 - vii. General location, size and type of open space;
 - viii. General provision for handling storm water drainage, sanitary sewage and drinking water.
- c. Master Plan Review.

Following the pre-application conference or public charrette, a Master Plan shall be submitted for review by the Planning Commission, accompanied by a filing fee in the amount established by resolution of the Fiscal Court and an application for a zone change of the land involved to the PVD District in accordance with the submittal requirements stated in D.4. of this Section.

Simultaneous Applications - An applicant may file simultaneously with the zone change application and Master Plan any applications for Preliminary Subdivision Plan and/or Final Plan approval required by this Section.

Technical Review Committee - Upon acceptance of the application as complete, the Master Plan shall be presented to the Technical Review Committee (TRC) to identify, negotiate, and resolve technical issues and conflicting agency requirements and to make recommendations to the LD&T Committee.

Land Development and Transportation Committee - Upon review by the TRC, the Master Plan shall be presented to the Land Development and Transportation (LD&T) Committee of the Planning Commission. The LD&T Committee shall review the plan for issues requiring clarification and shall confirm the date for a public hearing before the Planning Commission.

Planning Commission - Following review by the LD & T Committee, a public hearing with public notice as specified in KRS Chapter 100 shall be held before the Planning Commission to consider the application. This hearing may be continued from time to time as necessary to facilitate such changes, conditions and additions in the Master Plan as may be agreed upon by the Planning Commission and applicant. Based on the Master Plan, the Planning Commission shall make a recommendation of the legislative body pursuant to KRS 100.211.

Legislative body - Following action by the Planning Commission, the application shall be considered by the appropriate legislative body. Based on the application as amended and the recommendation of the Commission, the legislative body shall approve, remand back to the Planning Commission for amendments or additions, or deny the application.

The first Final Plan approval shall be requested within 12 months of the date of Master Plan approval by the legislative body. The Planning Director may extend the 12 month period for an additional 12 months provided the request is made in writing prior to the expiration of the initial 12 month period. Subsequent requests and requests received after the 12 month period may be made in writing to the LD&T Committee by the applicant and shall be approved by the LD&T Committee if it finds that circumstances justify the request.

d. Preliminary Subdivision Plan and Final Plan Review.

After approval of a Master Plan and zone change to the PVD District, a Final Plan and Preliminary Subdivision Plan shall be submitted to the TRC for review. A Final Plan and Preliminary Subdivision Plan may be submitted for all of a planned development or for a section of development. If the TRC finds that the Final Plan and Preliminary Subdivision Plan conforms to

the approved Master Plan, the TRC may approve the Final Plan and Preliminary Subdivision Plan or, at its discretion, may refer the Final Plan and Preliminary Subdivision Plan to the Planning Commission for approval. If the TRC finds that the Final Plan and Preliminary Subdivision Plan are not in conformance with the approved Master Plan: (a) the applicant may revise the Final Plan and Preliminary Subdivision Plan to conform with the approved Master Plan; or (b) the applicant may apply for an amendment to the Master Plan as set forth in D.2. of this Section, below.

TRC recommendations may be appealed to the LD&T Committee. Appeals may be requested by applicants or other persons on forms supplied by the Division of Planning and Design Services.

Final Plan and Preliminary Subdivision Plan review is primarily intended to determine compliance with the approved Master Plan, specific guidelines of this Section, and the terms of any prior conditional approval of the project.

Approval of a Final Plan and Preliminary Subdivision Plan shall be valid for one year and extensions may be granted in accordance with **Chapter 7** (Subdivision Regulations) of the Land Development Code.

Simultaneous Submittals - Applications for Preliminary Subdivision or Final Plan approval may be submitted for review simultaneously with applications for Master Plan review. In such cases any approval of Preliminary Subdivision or Final Plans must be conditioned upon the approval of the Master Plan and zone change. If the approved Master Plan includes any additions or conditions by the legislative body, any Preliminary Subdivision or Final Plan undergoing simultaneous review may be referred back to the TRC to ensure conformance with the approved Master Plan.

2. Amendments to Approved Master Plans.

a. Minor Amendments.

The Planning Director may administratively approve minor revisions to a Master Plan, in consultation with appropriate agencies, if the Planning Director determines that the revision meets the guidelines of this Section and there are no adverse effects on areas that are part of a Final Plan. Minor amendments are appealable to the Planning Commission. The following are minor revisions:

- i. The layout of a transportation network may be revised if the Planning Director determines that (a) the basic layout remains the same, and (b) the revised layout functions as well as the previous layout.

- ii. The location of a transit shelter may be revised if the Planning Director determines that the revised location functions as well as the previous location.
- iii. Architectural standards may be revised if the Planning Director determines that the revision will not substantially change the character of the village and if the property owners' association approves the revision.

b. Major Amendments.

All amendments other than those described above are major amendments. Major amendments shall be processed in the same manner as the Planning Commission reviews the original Master Plan, including notification of the first and second tiers of property owners around the property. The Planning Commission shall hold a public hearing on the proposed amendment and shall give public notice of said hearing at the applicant's expense, including posting a notification sign on the property.

3. Exceptions.

If the Planning Director determines that any of the items required to be included in the Master Plan or Final Plan map or report are inapplicable or irrelevant to a proposed planned development, such item may be waived by the Planning Director. The Master Plan report shall identify the items missing and include a brief explanation of why they are irrelevant, inapplicable or not submitted. With the concurrent of the Planning Director, some items to be included in the Master Plan or Final Plan report may be combined with others or shown on the Master Plan or Final Plan map, provided no confusion or ambiguity thereby results.

4. Requirements of the Master Plan.

Along with the zone change application, the applicant shall submit a Master Plan. No Master Plan application shall be deemed accepted unless complete and containing all of the following:

- a. **Legal Description of Site and Owners** - A legal description of the proposed planned development shall be submitted, along with the signature(s) of property owner(s).
- b. **Existing Conditions Map** - This map or series of maps shall be drawn to the same scale as the Master Plan map and shall include:
 - i. Title of the proposed development and name(s) of the applicant(s);

- ii. Scale, date, north arrow and vicinity map with measurements to existing streets;
 - iii. Boundary description, including area and bearings and dimensions of all property lines;
 - iv. Existing topography with two-foot contour lines. Slope category analysis for areas of 20% slope or greater;
 - v. Generalized soil types in the development area and surrounding area;
 - vi. Location of existing tree masses and individual trees (not in a tree mass) and their species with a circumference of at least twelve (12) inches, measured four (4) feet from the ground (aerial and on-site photographs may be used to show vegetation);
 - vii. The location and names of all existing streets; the location and use of all existing buildings; any existing recreation or open space areas; the location and size of all existing drainage, water, sewer, electrical, and other utilities' facilities, including fire hydrants; and all existing easements, railroads, cemeteries, watercourses, bridges, lakes, jurisdictional wetlands, sinkholes, drainage basins, outfalls, conveyance zones, regulatory flood plains, and other physical conditions affecting the area;
 - viii. The location and function of all other existing public facilities which would serve the site such as schools, parks, fire stations and the like. Notation of this information on a scaled map or by written description is acceptable, and
 - ix. Features on adjacent property which might affect the design of the development.
- c. Master Plan Map - This map or maps shall be drawn and submitted at a scale not less detailed than one inch equals two hundred (200) feet, or other scale acceptable to the Planning Commission staff, and shall include:
- i. delineation of site plan components required by a PVD District (for example, village edge, village general, village center);
 - ii. the layout of proposed blocks;
 - iii. the layout of proposed streets, bikeways, and pedestrian paths;
 - iv. the location of a proposed transit shelter;

- v. the location and acreage of open space areas with an indication for each whether it will be privately owned, a common area for residents only or dedicated to public use;
 - vi. the location and acreage of civic uses;
 - vii. the general location of limited uses, and;
 - viii. a concept plan indicating how existing drainage conditions would be changed as a result of the proposed development and the general location of proposed detention basins.
- d. Master Plan Report - This report shall be a part of the Master Plan, and shall include:
- i. a statement indicating the purpose and intent of the project and the applicant's statement of how the project complies with the comprehensive plan and with the guidelines specified for the PD option;
 - ii. a description of the mix of land uses and the factors which ensure compatibility both within the development site and with adjacent land uses;
 - iii. statistical information including:
 - (a) Gross acreage of the site, plus net acreage of the site excluding jurisdictional wetlands, regulatory floodplains, and slopes over 20%;
 - (b) The maximum number of dwelling units requested;
 - (c) The maximum amount (gross leasable area) of retail, office, and service uses requested in the village center;
 - (d) The amount of land devoted to open space, expressed in acres and as a percentage of the gross acreage of the site.
 - (e) The amount of land devoted to civic uses, expressed in acres and as a percentage of the gross acreage of the site.
 - vi. a plan for pedestrian, bikeway, and vehicular circulation describing the general design capacity of the system as well as access points to the major thoroughfare system. In addition, a daily and peak hour trip generation and directional distribution report by use may be required.

- v. street design standards specifying minimum pavement width, right-of-way width, presence of curbs, on-street parking, street trees, street furniture, bikeways and sidewalks. Also include street cross sections for each type of street classification proposed;
 - vi. site design standards specifying: the range of lot sizes (width and length), lot coverage, frontage of building facades, and building height for civic uses and all other uses;
 - vii. architectural design standards specifying materials and configurations permitted for walls, roofs, openings and other elements;
 - viii. drainage report, describing pre and post runoff conditions of downstream drainage systems, the impact of development of localized drainage facilities, and proposed mitigation of negative impacts;
 - ix. sanitary sewage facility report;
 - x. sign standards; and
 - xi. a schedule for the proposed development (or for each section, if it is to be developed by sections) containing the following information, which schedule shall not be binding but shall be provided in order to show generally how the applicant will complete the project;
 - (a) The order of construction by section delineated on the Master Plan;
 - (b) The anticipated time required to develop each section;
 - (c) The proposed schedule for construction of improvements to open space areas;
 - (d) The proposed schedule for the installation of required public or utilities improvements and the dedication of public rights-of-way, easements and properties.
5. Requirements of the Final Plan.

The applicant shall submit a Final Plan which conforms to the submittal requirements below. No application shall be deemed accepted as filed unless it is complete and contains all of the information below. This map or maps shall be drawn and submitted at a scale acceptable to the Planning Commission, but not less detailed than one inch equals one hundred (100) feet, and shall include:

- a. Final Plan Map
 - i. Title (or section) of the proposed development and names of the applicant(s);
 - ii. Scale, date, north arrow, and vicinity map with measurements to existing streets;
 - iii. All information shown on the Master Plan map, plus;
 - iv. Lot lines and a notation of the category of land uses permitted on each lot (for example, note the lots in the village general that could have an office or commercial use);
 - v. The design and location of private and public open space;
 - vi. The location and design of on-street loading zones and/or off-street loading berths, bikeways, street trees, parking lot screening and transit shelters;
 - vii. The location of utility easements; and
 - viii. Such additional information as the Planning Staff may require.
- b. Final Plan Report
 - i. Gross and net acreage of the property (or section) to be developed;
 - ii. The approximate number of dwelling units proposed;
 - iii. The approximate amount (gross leasable area) of retail, service, and office uses proposed; and,
 - iv. A description of the use, maintenance, and operating standards for common and public open space.

6. Conditions of Approval in Master Plan or Final Plan.

Conditions of approval may be written or graphic and, where agreed upon by the Planning Commission and the applicant, shall become a fundamental part of the Master Plan or Final Plan. Conditions may relate to the location and bulk of buildings and other structures, intensity of use, density of development, streets, ways, parking facilities, drainage of surface water, access points, screening and buffering, utilities, existing manmade and natural conditions and all other conditions agreed to by the applicant.

7. Subdivision Plan Review.

The applicant shall obtain approval of a Preliminary Subdivision Plan, Construction Plan, and Record Plat in accordance with the Subdivision Regulations. Prior to approval of a Record Plat, the following information shall be filed with the division of Planning and Design Services and approved by the Planning Commission attorney:

- a. Conservation easements and/or supporting covenants shall be filed among the land records that enumerate the property owners' association and all successors' obligations for perpetual maintenance of all common and private open space;
- b. Conditions, covenants, and restrictions for all the property within a village (or section) that:
 - i. establish a property owners' association with mandatory membership for each property owner;
 - ii. provide for the ownership, development, and maintenance of open space, community parking facilities and other common areas;
 - iii. require the collection of assessments from members in an amount sufficient to pay for its functions and require that liens be placed to ensure payment;
 - iv. when required by the Planning Commission attorney, include Jefferson County as a party to the conditions, covenants, easements, and restrictions for the limited purpose of ensuring that all common open space is properly maintained by the property owners' association and the property owners,
 - v. require signature of the developer of his/her designee prior to application for each building permit; and,
- c. Documentation of approval of any receiving entity (such as a public agency or a land trust) that is different than the property owners' association if any open space is to be dedicated to that entity.

8. Site Plan Review.

The developer and the property owners' association or its designee will be required to certify conformance with deed restrictions and architectural standards prior to submittal of the site plan for review and approval. In addition, site plans for uses other than single family residential will be reviewed and approved by DPDS staff prior to issuance of a building permit.